



THE CITY OF NEW YORK
LAW DEPARTMENT
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March 14, 2025

VIA ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Armond McCloud, Jr., v. City of New York, et. al.*, 23 CV 8341 (NRM)(CLP)

Your Honor:

I am an Assistant Corporation Counsel in the office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, assigned to the defense in the above referenced matter. Defendant City writes in response to Plaintiff's motion dated March 11, 2025. *See* Civil Docket Entry No. 56. For the reasons stated more fully herein, defendants respectfully request that the Court set a deadline of April 27, 2025, approximately thirty days after the rescheduled settlement conference, to provide response to plaintiff's document requests and interrogatories, and requests for admission and defer ruling on the remaining requests until thereafter.¹

By way of brief background, Plaintiff commenced this action on or about November 9, 2023 alleging that on August 8, 1994 he was detained and questioned at the 110th Precinct as a suspect in the death of Mr. Kei Sunada, who was killed during a robbery in Lefrak City four days earlier. *See* Civil Docket Entry No. 1. Plaintiff further claims that, although he was innocent, he made a confession which was coerced and made under duress. *Id.* Plaintiff was

¹ In light of defendants' proposed resolution, and in the hopes of preserving the cooperative and productive rapport between the parties, defendants decline, at this juncture, to meaningfully respond to every detail of Plaintiff's letter.

subsequently indicted, tried, convicted, and served more than twenty years of incarceration, during which time he was subjected to physical and sexual assault. *Id.*

As Your Honor is aware, the parties attended a settlement conference on March 11, 2025. The conference, was terminated prematurely but another conference with Your Honor is scheduled for March 27, 2025. *See* Civil Docket Entry dated March 12, 2025. Defendants therefore propose that the Court set a deadline of April 27, 2025, approximately thirty days after the settlement conference for defendants to provide response to plaintiff's document requests and interrogatories, and requests for admission and defer ruling on the remaining requests until thereafter. This date contemplates defendants desire to meaningfully participate in the settlement conference, and if the Court provides a recommendation, to respond. If the parties are able to resolve the matter at the conference, or soon thereafter the remaining deadlines would be moot.

This request also contemplates the undersigned's upcoming trial schedule. I am currently scheduled to be on trial in front of the Honorable J. Rochon in the matter of *Banyan v. Sikorski et al.*, 17-CV-4942 (JLR) starting April 7, 2025 which is expected to continue until approximately April 14, 2025. Defendants propose that, in the event that the matter is not settled, upon receipt of their responses on April 27, 2025, plaintiff can then renew his request intervention of the Court, if needed, for the remaining concerns.

Accordingly, defendants respectfully request that the Court set a deadline of April 27, 2025, approximately thirty days after the settlement conference for defendants to provide response to plaintiff's document requests and interrogatories, and requests for admission and defer ruling on the remaining requests until thereafter.

Thank you for your consideration.

Respectfully submitted,

/s/KellyAnne Holohan
KellyAnne Holohan
Assistant Corporation Counsel

cc: All Counsel (via ECF)